

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-20048

v.

Honorable Nancy G. Edmunds

LEE ARTIS JOHNSON,

Defendant.

/

ORDER DENYING DEFENDANT'S MOTION TO AMEND PROBATION [57]

On May 16, 2017, Defendant Lee Artis Johnson pled guilty to felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). (ECF No. 21.) On October 3, 2017, the Court imposed a below guideline sentence of 72 months of imprisonment to be followed by a term of supervised release of 36 months. (ECF No. 28.) Defendant was released from BOP custody on August 12, 2022. Defendant now seeks early termination of supervised release, stating that he maintains employment, has not had any police contact or violations, and seeks to move on with his life. (ECF No. 57.)

"Supervised release is part of a sentence." *United States v. Krul*, 774 F.3d 371, 374 (6th Cir. 2014). Under 18 U.S.C. § 3583(e)(1), however, the Court may terminate a term of supervised release any time after the expiration of one year of supervised release if the Court "is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." Additional factors the Court considers are the sentencing factors in 18 U.S.C. § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7). See § 3583(e). "[G]enerally, early termination of supervised release under § 3583(e)(1) will be proper only when the sentencing judge is satisfied that new or

unforeseen circumstances warrant it." *United States v. Melvin*, 978 F.3d 49, 53 (3d Cir. 2020) (internal quotation marks, citation, and italics omitted).

Here, Defendant has not identified any new or unforeseen circumstances that would warrant early termination of supervised release. Because the Court does not find that the relevant sentencing factors weigh in favor of the relief he seeks, Defendant's motion is DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: April 2, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 2, 2024, by electronic and/or ordinary mail.

s/Holly A. Ryan
Case Manager